

APR 11 2011

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of George E. Fox,  
Richard C. Willson III and Zhengdong Zhang  
Serial No.:10/057,270

Filed: 26 Jan 2002  
For: ... Methods for Determining the Genetic

Affinity of Microorganisms and Viruses  
Priority: 26 Jan 2001, USSN 60/254,403  
Attorney Docket: 010AUS  
USPTO Customer Number: 26830  
Commissioner for Patents  
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)  
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**RESPONSE TO NONFINAL REJECTION**

Sir:

In response to the Office Action mailed 17 January 2011 by Examiner Sims,  
consideration of the following Amendments and Remarks is solicited.

No additional fee is believed due because the Claims now number 20 including 2  
independent claims.

The Undersigned Attorney certifies that this Document has been filed via fax to  
1571 273 8300 Central fax of the USPTO on 9 April 2011.

**INTERVIEW**

Examiner Jason Sims is especially thanked and commended for the Interview he  
held April 7, 2011 at which Prof. George Fox and the undersigned attorney were  
present by telephone. Examiner Sims not only permitted the interview on short  
notice, but also helpfully suggested language for Claim 4A and then confirmed  
that wording with the SPE, and phoned wording back to Applicants' Attorney  
after the interview. His action is in the finest traditions of the US Patent Office.  
Amended Claims 4, 10 and 40 herein reflect the discussions at the interview